Naciones Unidas S/2021/374

Consejo de Seguridad

Distr. general
16 de abril de 2021
Español
Original: inglés

Carta de fecha 16 de abril de 2021 dirigida al Secretario General y a los Representantes Permanentes de los miembros del Consejo de Seguridad por la Presidencia del Consejo de Seguridad

Tengo el honor de comunicarles que el Consejo de Seguridad ha concluido el procedimiento de votación sobre el proyecto de resolución que figura en el documento S/2021/369, presentado por el Reino Unido de Gran Bretaña e Irlanda del Norte en relación con el asunto titulado "La situación en Libia". La votación se llevó a cabo de conformidad con el procedimiento establecido en la carta de fecha 27 de marzo de 2020 dirigida a los Representantes Permanentes de los miembros del Consejo de Seguridad por la Presidencia del Consejo (S/2020/253), que se acordó teniendo en cuenta las circunstancias extraordinarias causadas por la pandemia de enfermedad por coronavirus (COVID-19).

La Directora de la División de Asuntos del Consejo de Seguridad recibió sendas cartas de los 15 miembros del Consejo de Seguridad en las que cada uno indicaba la posición de su respectivo país sobre el proyecto de resolución. El resultado de la votación es el siguiente:

Votos a favor:
China, Estados Unidos de América, Estonia, Federación de Rusia, Francia, India, Irlanda, Kenya, México, Níger, Noruega, Reino Unido de Gran Bretaña e Irlanda del Norte, San Vicente y las Granadinas, Túnez, Viet Nam.

Votos en contra:
Ninguno.

Abstenciones:
Ninguna.

El proyecto de resolución recibió 15 votos a favor, por lo que queda aprobado como resolución 2571 (2021), de 16 de abril de 2021. La resolución, cuyo texto figura en el anexo de la presente carta*, se publicará sin demora como documento del Consejo de Seguridad.

(*Firmado*) **Dang** Dinh Quy
Presidente del Consejo de Seguridad

* Distribuido únicamente en el idioma en que fue presentado.

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Anexo

United Nations S/RES/2571 (2021)

Security Council

Distr.: General
16 April 2021

Resolution 2571 (2021)

Adopted by the Security Council on 16 April 2021

The Security Council,

Recalling the arms embargo, travel ban, assets freeze and measures concerning illicit oil exports which were imposed and modified by resolutions 1970 (2011) and 2146 (2014), and modified by subsequent resolutions including resolutions 2441 (2018), 2509 (2020) and 2526 (2020), and that the mandate of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by subsequent resolutions was extended until 15 May 2021 by resolution 2509 (2020),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya,

Recalling its Presidential Statement of 12 March 2021, which welcomed the vote of confidence by the Libyan House of Representatives to endorse the cabinet of the interim Government of National Unity charged with leading the country up to elections on 24 December 2021 and stressed the importance of this step in the Libyan political process,

Renewing its request that all Member States support fully the efforts of the Special Envoy of the Secretary-General, and its call on Member States to use their influence with the parties to implement the ceasefire and support the Libyan-led and Libyan owned inclusive political process,

Calling for Member States to implement fully the existing measures and to report violations to the United Nations Sanctions Committee, and *recalling* in that regard that individuals or entities engaging in, or providing support for, acts that threaten the peace, stability or security of Libya may be designated for targeted sanctions,

Reaffirming that all parties must comply with their obligations under international humanitarian law and international human rights law, as applicable, and *emphasising* the importance of holding accountable those responsible for violations or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians,

Expressing its concern that the illicit export of petroleum, including crude oil and refined petroleum products, from Libya undermines the Government of Libya and National Oil Corporation and poses a threat to the peace, security and stability of Libya, and *noting* with concern the reports of the illicit import of petroleum, including crude oil and refined petroleum products to Libya,

Recalling that providing support for armed groups or criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya may constitute acts that threaten the peace, stability and security of Libya,

Further reiterating its concern about activities which could damage the integrity and unity of Libyan State financial institutions and the National Oil Corporation, and stressing the need for the unification of Libya's institutions, and, in this regard, *calling* on Member States to cease support to and official contact with parallel institutions outside of the authority of the Government of Libya,

Recalling that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the oceans and seas,

Further recalling resolutions 2292 (2016), 2357 (2017), 2420 (2018), 2473 (2019) and 2526 (2020) which in relation to the implementation of the arms embargo authorise, for the period of time specified by those resolutions, the inspection on the high seas off the coast of Libya of vessels bound to or from Libya believed to be carrying arms or related materiel in violation of relevant Security Council resolutions, and the seizure and disposal of such items provided that Member States make good faith efforts to first obtain the consent of the vessel's flag State prior to any inspections while acting in accordance with those resolutions,

Determining that the situation in Libya continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

Prevention of Illicit Exports of Petroleum, including Crude Oil and Refined Petroleum Products

1. *Condemns* attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya, including by parallel institutions which are not acting under the authority of the Government of Libya;

2. *Decides* to extend until 30 July 2022 the authorisations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2441 (2018) and 2509 (2020);

3. *Requests* the Government of Libya to notify the Committee of its focal point responsible for communication with the Committee with respect to the measures in resolution 2146 (2014), *further requests* that the Government of Libya's focal point informs the Committee of any vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya, *urges* the Government of Libya to work closely with the National Oil Corporation in that regard, and to provide the Committee with regular updates on ports, oil fields, and installations that are under its control, and to inform the Committee about the mechanism used to certify legal exports of petroleum, including crude oil and refined petroleum products, and *requests* that the Panel of Experts closely follow and report to the Committee any information relating to the illicit export from or illicit import to Libya of petroleum, including crude oil and refined petroleum products;

4. *Calls on* the Government of Libya, on the basis of any information regarding such exports or attempted exports, to expeditiously contact the concerned vessel's flag State, in the first instance, to resolve the issue and *directs* the Committee to immediately inform all relevant Member States about notifications to the Committee from the Government of Libya's focal point regarding vessels transporting petroleum, including crude oil and refined petroleum products, illicitly exported from Libya;

Arms Embargo

5. *Calls* for full compliance by all Member States with the arms embargo, *further calls* on all Member States not to intervene in the conflict or take measures that exacerbate the conflict and *reiterates* that individuals and entities determined by the Committee to have violated the provisions of resolution 1970 (2011), including the arms embargo, or assisted others in doing so, are subject to designation;

6. *Calls on* all parties to implement the 23 October 2020 ceasefire agreement (S/2020/1043) in full and urges Member States to respect and support the full implementation of the agreement, including through the withdrawal of all foreign forces and mercenaries from Libya without further delay;

7. *Calls upon* the Government of Libya to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight, and *calls upon* all Member States to cooperate in such efforts;

Travel Ban and Asset Freeze

8. *Calls on* Member States, particularly those in which designated individuals and entities are based, as well as those in which their assets frozen under the measures are suspected to be present, to report to the Committee on the actions they have taken to implement effectively the travel ban and asset freeze measures in relation to all individuals on the sanctions list;

9. *Reiterates* that all States shall take the necessary measures to prevent entry into or transit through their territories of all persons designated by the Committee, in accordance with paragraphs 15 and 16 of 1970, as modified by paragraphs 11 of resolution 2213 (2015), 11 of resolution 2362 (2017) and 11 of resolution 2441 (2018) and *calls upon* the Government of Libya to enhance cooperation and information sharing with other States in this regard;

10. *Reaffirms* its intention to ensure that assets frozen pursuant to paragraph 17 of resolution 1970 (2011) shall at a later stage be made available to and for the benefit of the Libyan people and, taking note of the letter circulated as document S/2016/275, *affirms* the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of Libya;

11. *Recalls* resolution 2174 which decided that the measures set out in resolution 1970 (2011), as modified by subsequent resolutions, shall also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition and *underlines* that such acts could include obstructing or undermining those elections planned for in the Libyan Political Dialogue Forum roadmap;

Panel of Experts

12. *Decides* to extend until 15 August 2022 the mandate of the Panel of Experts (the Panel), established by paragraph 24 of resolution 1973 (2011) and

modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), and 2213 (2015), 2441 (2018) and 2509 (2020), *decides* that the Panel's mandated tasks shall remain as defined in resolution 2213 (2015) and shall also apply with respect to the measures updated in this resolution, and *expresses* its intent to review the mandate and take appropriate action regarding further extension no later than 15 July 2022;

13. *Decides* that the Panel shall provide to the Council an interim report on its work no later than 15 December 2021, and a final report to the Council, after discussion with the Committee, no later than 15 June 2022 with its findings and recommendations;

14. *Urges* all States, relevant United Nations bodies, including UNSMIL, and other interested parties, to cooperate fully with the Committee and the Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011), 1973 (2011), 2146 (2014) and 2174 (2014), and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2213 (2015), 2278 (2016), 2292 (2016), 2357 (2017), 2362 (2017), 2420 (2018), 2441 (2018), 2473 (2019), 2509 (2020) and 2526 (2020), in particular incidents of non-compliance, and *calls on* UNSMIL and the Government of Libya to support Panel investigatory work inside Libya, including by sharing information, facilitating transit and granting access to weapons storage facilities, as appropriate;

15. *Calls upon* all parties and all States to ensure the safety of the Panel's members, and *further calls upon* all parties and all States, including Libya and countries of the region, to provide unhindered and immediate access, in particular to persons, documents and sites the Panel deems relevant to the execution of its mandate;

16. *Affirms* its readiness to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, and its readiness to review the mandate of UNSMIL and the Panel, as may be needed at any time in light of developments in Libya;

17. *Decides* to remain actively seized of the matter.